Confidential

Sectt. II-27—60,004—17-11-48

(1945) Department.

SERIES.

No. G.O. No. 193

[redacted]

[redacted] Abstract.]

[redacted] Mangalam Taluk

[redacted] village - Boats Registration

Panchayat - Fishing in Godavari

River

SECRETARY TO GOVERNMENT
2 JUN 1949
REVENUE DEPARTMENT

M/a 40959/49 4/7

Confidential Revenue Department
Subject

Records - (South Kanara) - Mangalore taluk - Kairangala village - birth register - Tampering of - Investigation by C.I.D. staff

SECRETARY TO GOVERNMENT
REVENUE DEPARTMENT

Re.No.D.4926/49-1 (2)

Station: Madras dated the 28th June 1949

From

S.... Hussain Sahib Bahadur,
Secretary (Commercial Taxes),
Board of Revenue.

To

W.R.S. Sathianathan Esq., I.C.S., Comm. of Land Rev. & Commercial Taxes.

Read the following:-

Letter from S.L. Kaiwar Esq., I.C.S., Collector of South Kanara, No. Ref. M1-4303/49 dated 27th May 1949:-

A case of tampering with Government records viz. the birth register of Kairangala village for 1927 in the taluk office, Mangalore has been brought to light in the course of an enquiry into the appeal petitions filed by (1) Ganapathi Bhatta son of Narayana Bhatta registered minor permanent potail represented by his guardian and mother Devaki Amma and (2) Venkatramana Bhatta, son of Sankara Bhatta before the Collector against Mangalore Revenue Divisional Officer's order R.Dis. 5703/48 dated 30th January 1949 registering Ganapathi Bhatta son of Narayana Bhatta as the permanent minor potail of Kairangala village and ordering the continuance of Ishwara Bhatta as deputy potail. To what extent interested parties in a revenue enquiry go in order to achieve their personal ends by foul means is disclosed from the following facts:-

One Ishwara Bhatta son of Narayana Bhatta was the next heir to the post of potail of Kairangalavillage, having been registered as a minor potail in 19.. S.. D. Ishwara Bhatta son of Rama Bhatta failed to join the post after fully qualifying himself before completing 21 years he was removed from his office and his younger brother Ganapathi Bhatta, 1st appellant was registered as permanent (minor potail) in Mangalore Revenue Divisional Officer's proceedings R.Dis. 5703/48 dated 30th January 1949. In this order the Revenue Divisional Officer not only declined to remove the then existing deputy Ishwara Bhatta but also refused to accept Ganapathi Bhatta son of Subraya Bhatta, the nominee of minor's guardian as deputy to the minor Ganapathi Bhatta. The appeal of Ganapathi Bhatta (the registered minor potail) before the Collector is against that part of the Revenue Divisional Officer's order rejecting the minor's nominee and continuing the existing deputy, D. Ishwara Bhatta in the post.

was the deputy for minor Ishwara Bhatta. As minor Ishwara Bhatta

2. The second appellant before the Collector is one Venkatramana Bhatta who claims the potail's post of Kairangala village for himself. His main contentions are that Ganapathi Bhatta was wrongly registered as minor permanent potail in Mangalore Revenue Divisional Officer's order R.Dis. 5703-48 dated 30th January 1949, that the former regist.. minor Ishwara Bhatta was born on 27-7-1927 (and not on 15-2-1927) that therefore he completed his 21 year only on 26-7-1948 by which date Sri Ganapathi Bhatta, the present registered minor ... on 20-4-1... was over 18 years of age and that therefore the registration of Ganapathi Bhatta as minor is irregular as he was a major when the vacancy arose. The appellant while pointing out in his appeal petition about the manipulations in the birth register of Kairangala village for 1927 has requested the Collector to call for it for perusal. Enquiry into this allegation has brought to light the deliberate destruction of portions of certain pages of the birth register of Kairangala village for 1927. It looks as if some corrosive substance has been used by one or the other of the interested parties. The time when and the persons by whom the act of mutilation of

Government records the means employed for its mutilation and the circumstances that led to the commission of the offence are matters for the police to investigate. It is however definite that such an offence cannot be perpetrated without the active collaboration and connivance of some member or ~~xxx~~ members of the taluk office staff.

3. The Tahsildar, Mangalore to whom the appeal petitions were referred took possession of the birth register of Kairangala village for 1927 on its production before him on 4-4-49 by the subject clerk dealing with village officers appointment etc. and the record keeper found that some of the pages in the register were mutilated. Both the clerks and the copyist and the record peon have been examined by the Tahsildar. The enquiry has revealed that Sri K.Y. Poojary an Advocate of the Mangalore Bar, Sri K. Suryanarayana Rao, Head Clerk, Revenue Divisional Officer's office, Mangalore now on leave and Sri U. Chandra, Taluk office, Mangalore now working in taluk office, Puttur are some of the persons who were aware of the tampering of the birth Register before it was noticed by the Tahsildar, Mangalore on 4-4-1949. As the offence committed is a grave one coming under the purview of Section 466 I.P.C. a detailed investigation by the police is necessary to bring home the offence on the person or persons concerned. This is a fit case to be enquired into by the C.I.D. staff. I request that the Board may be pleased to order the C.I.D. staff to conduct further investigation into this case.

4. I have retained the Birth Register concerned here to be produced before the Investigating Office who may be entrusted with investigation in this case.

REFERENCE.

Submitted to the Government.

2. The Collector of South Kanara has brought to notice a case of tampering with Government records (viz) the birth register of Kairan[illegible] village for 1927. He reports that the enquiry has revealed that Sri Poojary an advocate of the Mangalore Bar, Sri K. Suryanarayana, Head Clerk, Revenue Divisional Officer's office, Mangalore and Sri U. Chandra, Taluk office, Mangalore, were aware of the tampering. As the offence committed is a grave one coming under the purview of Section 466 I.P.C. the Collector considers this a fit case to be enquired into by the C.I.D. staff. The Board requests that the Government may be pleased to order an enquiry in the matter.

for Secretary
(Commercial Taxes)

To the Secretary to Government, Revenue Department.

v.c/30.6.

Pl. issue with encl. cover to G be sent by name
Court By 16.8.49

3

Memo. No. 40959 M/49 — 2 dated 16.8.49

Records - (South Kanara)
Mangalore taluk. Kairangala village - Birth register - Tampering of - Investigation by C.I.D — Staff.

From the Board of Rev Ref
D. 4926/49-1(C) dated 28.6.49

—

A copy of the Board's Ref. quoted above is forwarded to the Superintendent, 'X' Branch, C.I.D. ~~The Superintendent, 'X' Branch, C.I.D~~ is requested to investigate into the matter and submit a report to the Govt. at an early date.

10
The Superintendent, I P. Branch, C.I.D

M K Shetty 19 Shetty Pon 12.8.49 B Shetty

16/8/49

C/997/49

502—2-9-49.

SECRET ~~CONFIDENTIAL~~

7 DEC 1949

From the X Branch, Criminal Investigation Department.

To: Chief Secretary.

No. 3/Regn./49 Dated 23rd November 1949

Through the Deputy Inspector-General of Police, Railways and C.I.D., and the Inspector-General of Police.

Sub:- Records - (South Kanara) - Mangalore Taluk - Kariangala village - Birth Register - Tampering of - Investigation - Report.

Ref:- Government of Madras (Revenue Department) Memorandum No.40959-M/49-2 dated 16-8-49.

In their Memorandum cited, the Government forwarded to this Branch for enquiry and report a copy of the Board's reference cited along with a copy of a letter from the Collector of South Kanara, in which the Collector had brought to the notice of the Board a case of tampering and mutilation of Birth Register of Kariangala village for 1927, possibly with the help of one or more of the staff of the Taluk Office, Mangalore.

2. An officer of this Branch made enquiries and ascertained the following:-

3. In 1932 one Narayana Bhatta was the Patel of Kariangala village and was dismissed from his post. As the Patelship of the village belonged to his family, his eldest son also named Narayana Bhatta, then a minor, was registered as a permanent minor Patel of the village. One Iswara Bhatta was appointed as acting Patel during the minority of Narayana Bhatta. Minor Narayana Bhatta did not pass the tests prescribed for the Patelship before he attain the age of 21 years and therefore disqualified himself for the post. His younger brother, Iswara Bhatta, who was a minor was then registered as minor Patel on 8-7-37. He also did not pass the necessary tests before he completed 21 years of age (on 14-2-48) and

therefore forfeited his claim to the Patelship of the village. The third son of the dismissed Patel was one Ganapathi Bhatta and as he also happened to be a minor, he was registered as a minor Patel.

4. In the meanwhile, D.Iswara Bhatta continued to be the acting Patel of the village. Devaki Ammal, wife of the dismissed Patel, Narayana Bhatta, felt that the acting Patel was not looking after the interests of her minor sons and therefore when Ganapat Bhatta was appointed as minor Patel, she moved the authorities to remove D. Iswara Bhatta from his post a acting Patel of the village and suggested that her nominee, one T.Ganapathi Bhatta, should be appointed in his place.

5. Iswara Bhatta, the acting Patel, who seems to have become powerful in the locality, wished to defeat the object of Devaki Ammal by all possible ways. He reported that minor Ganapathi Bhatta was not a minor on 14-2-48 when his elder brother, Iswara Bhatta, failed to qualify himself for the Patelship, and therefore Ganapathi Bhatta should not be registered as a minor Patel of the village. The Revenue Divisional Officer, Mangalore, however, accepted Ganapathi Bhatta as a minor and got him registered as entitled to permanent Patelship. He also allowed Iswara Bhatta to continue as acting Patel of the village.

6. Minor Ganapathi Bhatta appealed on 1-3-49 to the District Collector requesting that his nominee T.Ganapathi Bhatta should be appointed as acting Patel of the village. Iswara Bhatta, the acting Patel of the village, set up one Venkataramana Bhatta, a co-parcener of minor Ganapathi Bhatta, to claim the Patelship for himself, alleging that minor Iswara Bhatta was really a major when he was appointed as minor Patel of the village. In support of his allegation Venkataramana

Bhatta stated that the Birth Register of Kariangala village had been manipulated by the minor's party to suit their ends.

7. The Tahsildar, Mangalore, conducted an enquiry into the allegations made by Venkataramana Bhatta and on 4-4-49 discovered that some pages of the Birth Register of Kariangala village for 1927 have been burnt and mutilated by the application of some corrosive substanc by some interested party. Advocate Sri K.Y. Pujari, who first represented the acting Patel, Iswara Bhatta, and late his nominee, Venkataramana Bhatta, alleged before the Tahsildar that the party of the minor, Ganapathi Bhatta, wit the help of the Head Clerk of the Taluk Office, tamper with the Birth Register of Kariangala village for 1927.

8. The Birth Register of 1927 of Kariangala village was inspected by an officer of this Branch and it is found that several pages in the register have been burnt, probably, by the application of some corrosive substance. The question is as to who was responsible for burning and mutilating the register. The acting Patel, Iswara Bhatta, and his stooge, Venkataramana Bhatta, are anxious to prove that Ganapathi Bhatta was not a minor when his immediate elder brother, Iswara Bhatta, attained the age of 21 years. Hence the acting Patel, Iswara Bhatta, in his petition dated 26-10-48 to the Tahsildar, Mangalore, stated that the second son of the dismissed Patel viz., Iswara Bhatta was born on 14-8-27 and not on 15-2-27 as accepted by the Revenue authorities. In December 1948, he is said to have drafted a petition in which he stated that the minor Iswara Bhatta was born on 27-7-27. The acting Patel, Iswara Bhatta, is taking great pains to prove that minor Iswara Bhatta was born on 14-8-27 or 27-7-27 because if these dates be accepted by the Revenue authorities, the minor, viz., Iswara Bhatta, would have attained 21 years of age when his younger brother, Ganapathi Bhatta, com-

pleted his 18 years of age without passing the qualifying tests. If Ganapathi Bhatta completed 18 years of age without passing the tests, he automatically forfeits his claim for the Patelship. On the other hand, if he was a minor, when his elder brother completed 21 years of age, he should be given a chance to pass the necessary tests for Patelship before he completes his 21 years of age.

9. The acting Patel's contention that minor Iswara Bhatta was born on 14-8-27 is incorrect as proved by a perusal of the entries of the Birth Register of Kariangala village for 1927. On the alleged date, one Pathuma had given birth to a Muslim child and there is no entry that Devaki Ammal had given birth to any child. A perusal of the Birth Register of the village for that date shows that the entries made in the register have been burnt and mutilated as stated above. Most probably, the acting Patel is responsible for the mutilation of the Birt Register of Kariangala village for 1927.

10. The above inference is strengthened by a consideration of the information given below:-

In 1937, the Headquarters Deputy Tahsildar, Mangalore, conducted an enquiry and the dismissed Patel Narayana Bhatta gave a statement before him stating that his second son, Iswara Bhatta, was born on 15-2-1927. About October 1948, the minor's party applied for and got a certified copy of the extract of the Birth Register of Kariangal village and the Tahsildar has furnished a certified copy stating that minor Iswara Bhatta was born on 15-2-27. perusal of the relevant entry in the mutilated Birth Register of the village, enclosed herewith, discloses that minor Iswara Bhatta was born on 15-2-27, this entry not having been obliterated. There seems to be nothing suspicious about the entry in the register.

11. It is apparent that the acting Patel, Iswara Bhatta, was responsible for the mutilation of t

Birth Register of Kariangala village for 1927. The then record keeper of the Taluk Office, A.B.Manjeshwar, and peon of the record room, Lobo, were in sole charge of the Birth Register. Though there is no evidence forthcoming that they connived at the mutilation of the Register, they are prima facie answerable for negligently allowing the important record to be burnt and mutilated.

12. Enquiries made did not disclose any evidence as to who actually burnt the register. It is a case of mischief punishable under section 466 I.P.C. apparently got committed by acting Village Munsif, Iswara Bhatta of Kariangala village. Though there is no specific evidence for prosecuting either the acting Village Munsif or any of his supporters, the enquiry by this Branch showed that acting Village Munsif, Iswara Bhatta, is an unscrupulous man of criminal propensities and unsuitable to hold the responsible post of Village Headman.

M.K. Shetty
24.11.49

Enc: Birth Register of Kariangala Village,1927 (Pages 1 to 36)

(M.K. Shetty)
Superintendent of Police.

Forwarded

SR.23/11

M Ramaiya
29/11
D.I.G. Rys & C.I.D

Forwarded

I agree with S.P.K.

M Rama
I.G. of Police

9/ Revenue Department.

Memo No. 40959-A/49-[illegible] dated 6.1.50

Records - (South Kanara) - Mangalore taluk - Kairangala village - Birth Register - Tampering of - Investigation.

From the Superintendent of Police, X-Branch, C.I.D., Ref.No.3/Regn./49, dated 23-11-1949.

In para 11 and 12 of his report quoted, the Superintendent of Police, X-Branch, C.I.D., has concluded that apparently the acting Patel is responsible for the mutilation of the Register of Births in question. The vital entry on which the whole case of the alleged tampering converges is that of the birth of Sri Iswara Bhatta (second son of the deceased Patel) on 15-2-1927. It is that entry that stands against the case of the acting Patel. But, this entry is intact in the register It is therefore not clear how the acting Patel can be connected with the mutilation that leaves that entry intact.

2. In para 11 of his report quoted, the Superintendent of Police has also stated that the "then" record-keeper of the Taluk Office, Sri A.M. Manjeswar and the peon of the record room, Lobo, are prima facie answerable for negligently allowing the important record to be burnt and mutilated. It is not clear whether the persons mentioned were those in charge of records in 1927 or at the time when the mutilation is likely to have ~~been~~ occurred. The Superintendent's report has no indication of the time when the tampering was done. It seems that, if, as concluded by the Superintendent, the acting Patel was prima facie responsible for the mutilation, the offence should have been committed sometime between January 1949 (when the R.D.O. ordered the registration of Sri Ganapathi Bhatta as minor heir to the office) and April 1949 (when the mutilation was noticed by the Tahsildar, Mangalore). The names of the persons who were in charge of the records during this period or any other period when, in the opinion of the Superintendent, the mutilation is likely to have occurred, have to be ascertained

P.T.O.

3. Para 3 of the Collector's report, Ref.No.A1-4803/49, dated 29-5-1949 shows that Sri K. Suryanarayana Rao and Sri U. Chandra, formerly clerks of the Taluk Office, Mangalore are some of the persons who were aware of the tampering of the Birth Register even before 4-4-1949 when it was noticed by th Tahsildar. The report of the Superintendent of Police does not show whether these persons are liable to any extent.

4. The Superintendent of Police is requested to submit a further and fuller report ~~concerning~~ covering all the points mentioned in paras 1 to 3 above. The register of births is sent herewith for reference and re-submission.

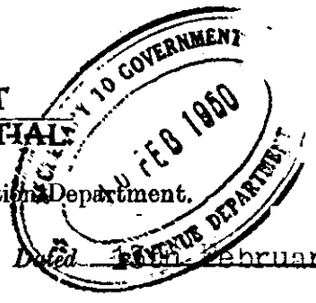
3/12/49

4-1-50

To the Supdt. of Police, X-Branch, C.I.D.

502—2-9-49.

SECRET
~~CONFIDENTIAL~~



From the X Branch, Criminal Investigation Department.

~~Chief Secretary.~~

~~Through the Deputy Inspector General of Police, Railways and C.I.D., and the Inspector General of Police.~~

No. 3/Regn./49, Dated 13th February 1950.

R 10027/49

Sub: Records - South Kanara - Mangalore Taluk - Kairangala village - Birth Register - Tampering of - Investigation - Report.

Revenue Department Memorandum No: 40959-M/ dated 4-1-50.

The Secretary to Government, Revenue Department, Fort St. George.

It no doubt appears on first sight that the acting Patel would be interested in mutilating the entry in the Birth and Death Register relating to the birth date of Iswara Bhatta, viz. 15-2-27, but actually in this particular case, that would not serve any purpose from the point of view of the acting Patel.

As early as 1937 in the course of an enquiry conducted by the Deputy Tahsildar of Bantwal, the dismissed Patel had given a statement saying that the date of birth of Iswara Bhatta was 15-2-27. Apart from this, on an application by the minor Patel for an extract of the date of birth of Iswara Bhatta, the Revenue authorities furnished an extract from the Birth Register on 30-10-48 to the effect that Iswara Bhatta was born on 15-2-27. This being so, mutilation of this entry would serve no purpose, as the extract furnished would clearly establish that the date of birth of Iswara Bhatta was 15-2-27.

The intention of the acting Patel obviously was to attack the entry relating to Iswara Bhatta's date of birth viz. 15-2-27 by contending that it was an interpolation and that his actual date of birth was later in the year to suit his purpose of rendering Iswara Bhatta's younger brother a major on the crucial date when the post of the Village Munsif fell vacant.

With this end in view he has apparently adopted the following procedure. On 25-10-48, the acting Village Munsif submitted a petition to the Revenue Divisional Officer, Mangalore, that Iswara Bhatta, the second son of the dismissed Patel, was born on 14-8-27 and not on 15-2-27. An identical petition was preferred by him on 26-10-48 before the Tahsildar of Mangalore. If the date of birth of Iswara Bhatta were accepted as 14-8-27, he would attain 21 years of age on 14-8-48. As by that date he did not qualify himself for Patelship, the question would arise whether his younger brother Ganapathi Bhatta could be declared as a minor Patel, but Ganapathi Bhatta having been born on 20-6-30 attained the age of 18 by 20-6-48 and would on that account forfeit the right to be declared as a minor Patel. Thus, the shifting of the date of birth of Iswara Bhatta from 15-2-27 to 14-8-27 would suit the purpose of the acting Village Munsif admirably; but as ill-luck would have it, the Birth Register showed that there was already an entry against that date in respect of a child born on that date to a woman by name Pathuma. The acting Village Munsif must have discovered that his contention that Iswara Bhatta was born on that date would fall to the ground, and wanted to get out of the untenable position. On 8-4-49 he again presented yet another petition stating that Iswara Bhatta was born on 27-7-27 and not on 14-8-27, as stated by him in his early petitions. Evidently fearing to interpolate against this new date an entry regarding the alleged birth of Iswara Bhatta, the acting Village Munsif must have adopted the device of burning the page relating to 27-7-27 with the double object of (1) accusing Iswara Bhatta and his supporters of an interpolation against the date 15-2-27 in the Birth Register and (2) arraigning Iswara Bhatta

and his supporters for having burnt the entry of the alleged actual date of birth viz. 27-7-27. I must say that there is no actual evidence to show that this is what actually happened, but the probabilities point to such an inference. It is however clear that the Revenue authorities having accepted the date of birth of Iswara Bhatta to be definitely 15-2-27, he had no need to interfere with the Birth Register except to stultify himself. The contention that the entry against the date 15-2-27 was an interpolation is obviously a far-fetched one and would not have driven Iswara Bhatta or his younger brother to the length of burning the Birth Register. If he had really feared that the entry against 15-2-27 might in all probability be proved to be an interpolation, as contended by the acting Village Munsif he would be more interested in burning that portion of the register and not the subsequent, as is the case.

2. The enquiry by this Branch showed that the mutilation must have occurred subsequent to 30-10-48, the date on which a certified extract of Iswara Bhatta's date of birth was furnished to the minor Village Munsif and before April 1949 when the mutilation was noticed by the Tahsildar, Mangalore. It is in evidence that when a certified extract of the date of birth was furnished towards the end of October 1948 the Birth Register was in good condition. The record keeper of the Taluk Office during this period was A.B. Manjeshwar and the peon of the record room was Lobo. It is a presumption that this important record in the custody of the record keeper could not have gone into unauthorised hands for mutilation by burning, without the knowledge of the record keeper. It is more a constructive liability than an inference based on evidence.

3. There is no evidence to shew that Sri K. Suryanarayana Rao, formerly Head Clerk of the office of the Revenue

Divisional Officer, Mangalore and Sri U. Chandra, clerk of the Taluk Office, Mangalore, were aware of the tampering of the Birth Register before 4-4-49 when it was noticed by the Tahsildar, Mangalore. They are therefore not liable to any extent.

4. The Birth Register is returned herewith.

(M.K. Shetty.) 14.2.50
Superintendent of Police.

(Enclosure - one birth register).

sk.

Cov. 40959 M/49

Revenue Department

CONFIDENTIAL

Read:

From the Bd. of Rev. Ref.No. D.4926/49-1(C) d/28.6.49.
To the Supdt. X.Branch C.I.D. Memo.No.40959 M/49-2 Revenue dated 10.3.49.
From the 'X'-Branch C.I.D. No.3/Regn./49 dated 23.11.49.
To the Supdt. 'X' Branch Memo.No.40959 M/49-4 dated 6,1.50
From the 'X'-Branch C.I.D. No.3/Regn./49 dated 13.2.50.

***

G.O.M(Confdl.) Ms.No. 793 dated 18/3/50

A copy of the report from the Superintendent, of Pol: X-Branch, C.I.D. No. 3/Regn./49 dated 13.2.50 is communicated to the Bd. of Rev. in continuation of Govt. Memo.No.40959 M/49- Revenue dated 6.1.50. In para 1 of this report the Supdt. of Police, X-Branch, has explained the circumstances which led to his conclusion in para 12 of his earlier report dated 23.11.49 (communicated to the Bd. with Govt. Memo. Govt. Memo. dated 6.1.50) that the mischief of ~~notifica-tion~~ mutilation of the Birth Register in question was got ~~communicated~~ committed by the Dy. Headman of Kairangala village, Sri Iswara Bhatta. According to para 12 of the Supdt.'s earlier report referred to, though there is no specific evidence for prosecuting either the Dy. Headman or any of his supporters, the enquiry by the 'X' Branch has showed that the Deputy is an unscrupulous person of criminal propensities and unsuitable to hold the responsible post of village headman. The Bd. is accordingly requested to instruct the Collr. of South Kanara to take steps to remove the Deputy from service.

2. According to para 2 of the Supdt.'s report dated 13.2.5 the mutilation of the birth register must have occurred subsequent to 30.10.48, the date on which a certified extract of the entry in the birth register relating to the date of birth of Sri Iswara Bhatta (the last office holder's second son) was furnished to him, and before April 1949 when the mutilation was noticed by the Tahsildar, Mangalore. As, during this period, Sri A.B. Manjeswar was the record-keeper and Lobo, the peon attached to the record room, the Govt. agree with the Supdt. of Police that they ~~are prima facie~~ are to a great extent answerable for negligently allowing the Birth Register to mutilated. The Board is accordingly requested to ask the

Collr. to take suitable disciplinary action against these two persons also.

3. In para 3 of the Collr.'s letter Ref.No.A1-4803/49 dated 29.5.49 it was stated th... ... enquiry revealed that Sri K. Suryanarayana Rao, formerly Head clerk in the Revenue Divisional Office, Mangalore and Sri T. Chandra, formerly one of the clerks in the Taluk Office, Mangalore were aware of the tampering of the Birth Register before it was noticed by the Tahsildar, Mangalore on 4.4.1949. According to para 3 of the report of the Supdt. of Police dated 13.2.50, however, there is no evidence to show that Sri Suryanarayana Rao and Sri Chardra were so aware of the tampering. The Govt. therefore consider that no action need be taken against them.

15/3/50

16/3/50

To the Bd. of Rev.
(with copy of the letter from the Supdt. of Police, X-Br. No.3/Regn/49 dated 13.2.50 and Birth Register (in original).

Deputy Secretary
18/3.

[40959M/49]

Records - (South Kanara) - Mangalore taluk - Kairangala village - Birth register - Taking of - Investigation by C.I.D. Staff. Proposal.

From the Board of Revenue Ref D. 4926/49-1(C) dated 28.6.49

TO A.S

Please ... and's Reference in the C.F. It is for orders whether the Superintendent, X Branch, may be asked to investigate into the matter as proposed by the Board of Rev. Pub (S.C) deptt may see before circulation

Pon 7.7.49 — 9/7/49 — 11/7/49

Pub. (S.C)

UNDER SECRETARY
18 JUL 1949
C/551/49.
PUBLIC DEPARTMENT

Public (S.C.)

Rev no 40959M/49-1

Rev: 19.7.49

Pub (Rev) (S)

19.7.49

16/7/49.

D.C.No. 2883 18.7.49

44836/M

22/7

Rev 19/7

21 JUL 1949
REVENUE DEPARTMENT

Rev Dept

For orders on A above.

22/7/30.

SECRETARY TO GOVERNMENT
11 AUG 1949

1/8/49

3/8/49

Rev. Dept.

To A.S

---Please see the orders in circulation on Vacant. A draft memo to the Superintendent, X Branch, C.I.D is submitted for approval.

Sm 12.8.49 DSP
2 16/8/49

Issued as Memo No 40959/49-B dt 1.11.49 from the Superintendent X Branch C.I.D., report No 3 Regn./49 - dt 28/11/49.

To A.S.

The B.D. report Rep on PP1-2 C, the memo on P3 C and the report of the Superintendent, ~~C.I.D.~~ X Branch C.I.D. on PP 5-8 C may be perused.

2. On the circumstances reported by the Superintendent, X Branch C.I.D. it is for orders whether ~~the Board may be asked instruct to~~ suitable disciplinary action to take ~~action~~ against the then Record keeper of the Taluk Office and peon of the record room and the present deputy ~~Sri~~ Chairman Sri Iswara Bhatta, who are reported to be responsible for the tampering of the birth register of Kumbla Village.

~~Subject to orders~~.

2
10/12/49 DSP

The Superintendent, X-Branch in his report on p.8 C.F. says that the then record-keeper of the Taluk Office A.B. Manjeshwar and peon of the record room Lobo were in sole charge of the birth register and that they are prima facie answerable for negligently allowing the birth register to be burnt and mutilated. It is not clear whether he refers to the record-keeper and the peon employed in the year 1927. On the other hand, the report of the City at p.2 C.F. shows that Sri K. Suryanarayana Rao,

Head-clerk, R.D.O.'s office, Mangalore now on leave and Sri U. Chandra, Taluk Office, Mangalore now working in the Taluk Office, Puttur are some of the persons who were aware of the tampering of the birth register before it was noticed by the Tahsildar, Mangalore on 4-4-49. It is presumed that action, if any, should be taken against the Revenue subordinates referred to by the Collector and not against the persons referred to in the X-Branch Superintendent's report.

~~Public (S.C.) may see before circulation.~~

22/12/49 S.

The word acting as here, I can see is the writing where Mr. A. D. entry is written in the Register. It is the last two words of the entry (Patel. I feel it is here the acting Patel can be connected with a mutilation for leave the entry intact

28/12/49

To A.S.

The view of the Superintendent of Police appears to be that the tampering was done with the object of having the entry "15-2-1927" obliterated wholly or partly in order to raise a doubt as to what is the correct date of birth of the second son of the deceased Patel, and that although this object has not been achieved, the culprit or culprits are none the less blame-worthy. And, the Superintendent has connected the acting Patel with the whole mutilation, presumably because he was apparently the person primarily interested in the destruction of that particular entry. The Superintendent

of Police may be asked to clarify his conclusion that the ag. Patel was prima facie responsible for the mutilation.

2. The doubt raised in Assistant Secretary's note on pp. 2-3 above as to the persons answerable for negligently allowing the record to be mutilated may also be got cleared. Ishwara Bhatta, the acting Patel was acting as Deputy for the first two sons of the deceased Patel. His grievance started only when the widow of the deceased Patel asked for a different Deputy for her third son, Ganapathi Bhatta. The date of his application is not given. It should have been sometime before 30-1-1949 (when the R.D.O. refused to accept the nominee of the minor's guardian). The mutilation was noticed by the Tahsildar on 4-4-1949. It is reported that K. Suryanarayana Rao and U. Chandra, formerly clerks of the Taluk Office, were aware of the mutilation even earlier. If the acting Patel was responsible for the mutilation, the offence should have been committed, roughly speaking, between January 1949 and April 1949. Then, it follows that the record-keeper and peon in charge of the records during that period alone could have connived at, or allowed, the mutilation. The persons in charge of the records in 1927 could have nothing to do with the matter, that is, if as assumed, the acting Patel was responsible for the mutilation. But it is not clear whether the record-keeper A.B. Manjeshwar and peon Lobo referred to in para 11 of the report of the Superintendent of Police, were the persons in custody of the records in 1927 or during the period between January 1949 and April 1949, when the mutilation is likely to have occurred. The Superintendent of Police may be asked about it.

3. The C.I.D. report does not make any mention of K. Suryanarayana Rao and U. Chandra, formerly clerks of the Taluk Office, Mangalore, who, it is reported, were aware of the mutilation even before 4-4-1949 when the Registrar was brought before the Tahsildar. The Superintendent of Police may be asked to report specifically

whether these two persons were liable to any extent.

4. Subject to orders a draft Memo. is submitted for approval.

4-1-50

To the Supdt. of Police, 'X' Branch, C.I.D., Memo. No. 40959 C/49 dated 6-1-50.
From the Supdt. of Police, 'X' Branch, C.I.D., Ref. No. 3/Regn./49 dated 13-2-50.

To A.S.

Please see notes from p.3 above, the Memo. on pp 9-10 C.F. and the reply of the Supdt. of Police, 'X' Branch, pp 11-14 C.F.

2. The point raised by the previous Secretary was how the Dy. headman, Iswara Bhatta could be connected with the tampering of the Birth Register when the date 15-2-1927, in the obliteration of which he was obviously interested, was left intact after the mutilation was done. In para 1 of his report on pp 11-13 C.F. the Supdt. of Police, Branch, has however pointed out the Deputy might not have been interested in the tampering of this particular entry as there was evidence to show that this entry was genuine. According to the Supdt., the Deputy was rather interested in the obliteration of the entries relating to the date 27-7-27, as the Deputy had presented a petition on 8-4-49 alleging that Iswara Bhatta (the second son of the deceased patel) was born on 27-7-1927 and as therefore the destruction of the entries relating to that date would show that it was Iswara Bhatta and his party who were responsible for the mutilation. The entries relating to this date have actually been burnt Hence the conclusion of the Supdt. of Police that the mischief of mutilation of a Govt. record was apparently got committed by the Deputy. According to para 12 of the Supdt.'s earlier report on p.8 C.F., though there is no specific evidence for prosecuting either the Dy. headman or any of his supporters, the enquiry by the

Branch has showed that the Deputy is an unscrupulous
of criminal propensities and unsuitable to hold the
ponsible post of village headman. It is for orders
ther, in the circumstances, the Collector may be instruc-
to take steps to remove the Deputy from service.

3. Another point raised was whether the record keeper,
Manjeshwar, and the peon, Lobo, who, according to the
ier report of the Supdt. were prima facie answerable for
igently allowing the Birth Register to be mutilated,
actually in charge of the records at the time when the
lation was likely to have been committed. Para 2 of
present report on p.13 shows that it was so. It is
truingly for orders whether the Collector may be asked
the suitable disciplinary action against these two
ons also.

4. The Supdt. of Police had also been asked to report
rding the liability of K. Suryanarayana Rao, formerly
clerk in the Revenue Divisional Office, Mangalore and
Chandra, a clerk in the Taluk office, Mangalore, as
rding to para 3 of the Collector's report on p.2 C.F.,
se persons were aware of the tampering before it was
ced by the Tansildar on 4-4-49. The Supdt. has reported
there is no evidence to show that these persons were
are of the tampering before 4-4-49. In the circumstances,
seems that no action need be taken against them. For

Action may be taken as at
'A' & 'B' above.

SECRETARY TO GOVERNMENT
8 MAR 1950
TRUE COPY

To AJ

With reference to the order on p12 a draft order is submitted for approval